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9
 10 UNITED STATES DISTRICT COURT
 11
 12 NORTHERN DISTRICT OF CALIFORNIA

13 GEORGE CHEN,

14 Plaintiff,

15 vs.

16 UNITED WAY OF THE BAY AREA and,
 and DOES 1-10 inclusive,

17 Defendants.

18 No. C-07-02785-WHA (JCS)

19
**[PROPOSED] ORDER GRANTING
 DEFENDANT'S MOTION TO COMPEL
 ARBITRATION OF PLAINTIFF'S SECOND
 CAUSE OF ACTION FOR LIBEL**

20 Date: August 9, 2007
 21 Time: 8:00 a.m.
 Courtroom: 9, 19th Floor
 Judge: Hon. William H. Alsup

22 Complaint filed: April 26, 2007
 Trial date: None set yet

On August 9, 2007, a hearing was held on defendant United Way of the Bay Area's motion to compel arbitration of plaintiff George Chen's Second Cause of Action for Libel. William Gaus of Dillingham & Murphy, LLP appeared for plaintiff; and Jeffrey D. Wohl of Paul, Hastings, Janofsky & Walker LLP appeared for defendant.

The Court having considered the papers on the motion, the arguments of counsel, and the law, and good cause appearing therefor,

IT IS ORDERED that the motion be and is hereby GRANTED. The Court finds that plaintiff's Second Cause of Action for Libel is encompassed by the parties' arbitration agreement; that the agreement is enforceable; and that plaintiff has refused to abide by his agreement. Accordingly, plaintiff's Second Cause of Action for Libel is severed from plaintiff's complaint and ordered to be arbitrated pursuant to the parties' agreement. The Court will retain jurisdiction over the Second Cause of Action for the purpose of confirming, modifying, or vacating the arbitrator's award in conformity with applicable law.

Dated: August ___, 2007.

William H. Alsup
United States District Judge